

### REMARKS

Review and reconsideration of the application in view of Applicants' amendments and remarks are respectfully requested. Applicants herein amend the specification to correct typographical errors. No amendments to the claims are made.

There is no indication in the Office Action whether the replacement formal drawings of Figures 1-7 submitted August 23, 2004, were acceptable. Such indication is respectfully requested.

Claims 1-24 are rejected under 35 U.S.C. 103(a) over Watanable et al. (EP 435276) in view of Lin (US 5,764,263), as set forth at page 2 of the Office Action. However, the argument presented on pages 2-5 is a rejection of claims 1, 12, and 22 *over Lin in view of Watanable et al.* Applicants' representative discussed this in a telephone call with Examiner Tran on May 22, 2006. The Examiner indicated she believed the rejection was clear, and that all claims were covered by the rejection. Applicants respectfully disagree. It is apparent the rejection is of Lin in view of Watanable, and will be treated as such by Applicants. However, the argument set forth by Examiner Tran at page 2 clearly states: "With respect to claims 1, 12 and 22, Lin discloses..." There is no indication in the Office Action that the arguments pertaining to claims 1, 12, and 22 apply to any other claims. Thus, the Office Action is incomplete with regard to claims 2-11, 13-21, and 23-24. See 37 CFR 1.104(c)(2), cited in MPEP 706, as follows:

*37 CFR 1.104. Nature of examination.*

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*(c) Rejection of claims.*

(1) If the invention is not considered patentable, or not considered patentable as claimed, the claims, or those considered unpatentable will be rejected.

(2) In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

Applicants will address the rejection of claims 1, 12, and 22 as they understand it, and assert the patentability of claims 2-11, 13-21, and 23-24, not expressly rejected or argued by Examiner Tran. Any subsequent office action in reply to this response that rejects any of claims 2-11, 13-21, and 23-24, cannot be made final, because such claims were not actually rejected in the Office Action mailed February 23, 2006.

The Office Action appears to reject claims 1, 12, and 22 under 35 U.S.C. 103(a) over Lin (US 5,764,263) in view of Watanable et al. (EP 435276). Applicants traverse the rejection for at least the following reasons.

The claimed invention includes a backprinting assembly, or method of using the same, wherein the backprinting assembly is a movable ink jet printhead which is movable between at least a printing position to print on the back side of the photographic media, and a priming position where the printhead is pressurized to a prime pressure sufficient to force a stream of ink through discharge jets of the printhead such that dried ink and debris are ejected through the discharge jets of the printhead, as described on page 8, lines 5-9.

Lin is directed to an ink jet printing device that is designed to reduce curl of printed paper by printed either a colorless or colored ink on a backside of the paper. Lin does not disclose or suggest moving of either the front or backside printhead to a non-printing position, priming of a printhead, or pressurizing a printhead.

Watanable et al. is directed to a recording unit cartridge, whereby all or a portion of a full-width recording unit can be easily replaced within a printing apparatus. Within the recording unit, the printhead can be moved from a printing to a recovery position, wherein the printhead is activated to print an all ink image, such that the ink is ejected into a reservoir. See col. 9, lines 11-17 and 27-33.

Watanable et al. does not disclose or suggest pressurizing the printhead to remove dried ink or debris. Watanable et al. only discloses printing an all black image to "recover" the printhead. As known to one skilled in the art of ink jet printing, if a clogged nozzle could be cleared by normal printing pressures, no clogs could occur. However, clogging of nozzles is a known problem in the industry.

Neither Lin nor Watanable et al. disclose or suggest pressurizing the printhead to eject pressurized ink, thereby clearing debris from the nozzle. Thus, neither reference, taken alone or in any combination, discloses or suggests the claimed invention. Reconsideration and withdrawal of the rejection are in order, and are respectfully solicited.

All of claims 1-24 being in condition for allowance for at least the above reasons, reconsideration and prompt action in the form of a Notice of Allowance are respectfully solicited.

Should the Examiner require anything further, or have any questions, the Examiner is asked to contact Applicants' undersigned representative.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Kathleen Neuner Manne', is written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.